

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JESSE KALBERER,

Plaintiff(s),

vs.

AMERICAN FAMILY MUTUAL
 INSURANCE COMPANY, et al.,

Defendant(s).

Case No. 2:13-cv-02278-JCM-NJK

ORDER VACATING HEARING

ORDER DISCHARGING
 ORDER TO SHOW CAUSE

(Docket No. 17)

Pending before the Court is the order for the attorneys of record to show cause why they should not be sanctioned for their numerous violations of the Local Rules and Court order related to the filing of a proper discovery plan that comports with the Local Rules. Docket No. 17. The Court has received a written response from counsel. Docket No. 18, 20. Counsels' conduct thus far in this litigation falls below the standards expected of the Court, especially when the Court provided guidance as to various defects in the initial discovery plan, counsel certified that they reviewed and understand the relevant local rules, and then filed another defective discovery plan. As the responses to the order to show cause acknowledge, the failure to comply with basic Court rules and orders wastes judicial resources and undermines the Court's ability to control its docket while providing for the orderly and expeditious resolution of the matter. These are significant problems.

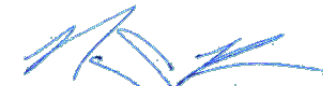
Having considered the responses to the order to show cause, the Court concludes that the appropriate sanction in this case is an **ADMONISHMENT** of counsel. As counsel have repeated that they now fully understand the applicable Local Rules, the Court further cautions counsel that

1 this is their last warning that they must submit discovery plans in accordance with the procedures
2 outlined in the Local Rules. Future violations will likely result in the imposition of monetary
3 sanctions.

4 The Court **VACATES** the show cause hearing on February 24, 2014, at 11:00 a.m. in
5 Courtroom 3A.

6 IT IS SO ORDERED.

7 DATED: February 20, 2014



9 NANCY J. KOPPE
10 United States Magistrate Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28